

# AUGUST 2005 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, August 9, 2005, at 9 a.m. and Wednesday, August 10, 2005, at 9 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

**BULLETINS NEEDED FOR THIS MEETING: No. 1, 2, 3 (7/6/05, 7/20/05, 8/3/05)**

Also refer to: 3/16/05, 3/30/05, 4/13/05, 4/27/05, 5/11/05, 5/25/05, 6/8/05

Bulletin Page

## Tuesday, August 9th

<b>9:00</b>	<b>LSA OVERVIEW-</b>				
<b>9:10</b>	<b>ADMINISTRATIVE SERVICES DEPARTMENT[11]</b>	Carol Stratemeyer	(281-6134)		
	Department organization and mission, 1.1, 1.4(3), 1.4(3)“d”(1), 1.4(5)“a,”				
	Notice ARC 4290B, also <u>Filed Emergency</u> ARC 4291B.....			7/6/05	25
	Payroll deduction for tuition program contributions, adopt ch 45,				
	Notice ARC 4292B, also <u>Filed Emergency</u> ARC 4293B.....			7/6/05	25
	Requests for proposals—general notification, 105.7(1), Notice ARC 4294B,				
	also <u>Filed Emergency</u> ARC 4295B .....			7/6/05	27
	Disposal of state surplus property, 111.1, 111.2, Filed ARC 4289B.....			7/6/05	62
<b>9:20</b>	<b>HUMAN SERVICES DEPARTMENT[441]</b>	Nancy Freudenberg	(281-8438)		
	Termination of social services, 7.5(2)“a”(1) and (2), 130.5(2)“d” and “e,”				
	Notice ARC 4336B, also <u>Filed Emergency</u> ARC 4323B.....			7/6/05	34
	Resolution of legal settlement disputes, ch 15, 29.4, ch 30 title, 30.1(1), 30.3, Filed ARC 4395B.....			8/3/05	202
	Intergovernmental transfers in Medicaid, ch 36 div II, 79.1(5)“a” and “b,”				
	79.1(5)“d”(1) and (2), 79.1(5)“e”(2), 79.1(5)“f”(3), 79.1(5)“t”(1) and (2),				
	79.1(5)“ab” and “ac,” 79.1(7)“b,” 79.1(16)“t,” 81.6(4)“a”(4), 81.6(21),				
	Notice ARC 4335B, also <u>Filed Emergency</u> ARC 4322B.....			7/6/05	34
	State supplementary assistance—eligibility, 51.6(1), 51.6(6),				
	Notice ARC 4334B, also <u>Filed Emergency</u> ARC 4321B.....			7/6/05	37
	Medicaid waiver for family planning services, 75.1(41), 76.1(1)“d,” 76.1(2), 76.7,				
	Filed Emergency After Notice ARC 4320B.....			7/6/05	38
	Medicaid eligibility requirements—inmates; furnishing of social security number,				
	75.7, 75.11(1), 75.12, 75.57, 75.57(7)“s” and “t,” Filed Emergency After Notice ARC 4396B.....			8/3/05	194
	Annual update of statewide average costs and charges, 75.23(3), 75.24(3)“b,” 75.24(3)“b”(1), (4) and (5),				
	Filed Emergency ARC 4319B .....			7/6/05	38
	Dispensing of drugs limited to 30-day supply, 78.1(2)“d,” 78.1(2)“d”(1) to (9),				
	78.1(2)“f”(2), Filed ARC 4397B .....			8/3/05	202
	Increase in reimbursement rates for medical providers, 79.1(2), 79.1(5)“y”(2), (5) and (8),				
	79.1(8)“g,” 79.1(16)“v”(2), Notice ARC 4333B, also <u>Filed Emergency</u> ARC 4318B .....			7/6/05	39
	Medicaid reimbursement for hospital care, 79.1(5)“a” and “b,” 79.1(5)“d”(1) and (2), 79.1(5)“e,”				
	79.1(5)“f”(3), Notice ARC 3452B Terminated ARC 4337B .....			7/6/05	15
	Medicaid drug reimbursement—new data file source, 79.1(8), 79.1(8)“a,” 79.1(8)“a”(1),				
	79.1(8)“b,” 79.1(8)“b”(1), Notice ARC 4332B, also <u>Filed Emergency</u> ARC 4317B .....			7/6/05	45
	Copayments for Medicaid-covered drugs, 79.1(13)“a,” Notice ARC 4331B,				
	also <u>Filed Emergency</u> ARC 4316B .....			7/6/05	46
	IowaCare, ch 85 preamble, 85.1, 85.1(1), 85.8, adopt ch 92, Notice ARC 4330B,				
	also <u>Filed Emergency</u> ARC 4315B .....			7/6/05	47
	Medicare drug subsidy, adopt ch 91, Notice ARC 4329B, also <u>Filed Emergency</u> ARC 4314B .....			7/6/05	52
	IowaCare, 92.3, 92.4(3)“a,” 92.7(2)“a,” 92.7(3), 92.8(3), 92.8(3)“a”(2),				
	92.8(3)“b”(1) and (2), Notice ARC 4399B, also <u>Filed Emergency</u> ARC 4398B .....			8/3/05	196
	Purchase of service; foster care, 150.3(1), 150.3(3)“t,” 150.3(5)“p”(1) and (2), 150.3(5)“p”(2)“1,” “3” and “4,”				
	amendments to ch 156, Notice ARC 4328B, also <u>Filed Emergency</u> ARC 4313B .....			7/6/05	54
	Child care services, 170.2(1)“a”(1) and (2), 170.2(3)“a”(3) and (4), 170.4(2)“a,”				
	170.4(6), 170.4(7)“a,” 170.4(7)“a”(1), 170.4(7)“f”(1) and (2), 170.5(2)“d,” 170.5(3)“c,”				
	Notice ARC 4401B, also <u>Filed Emergency</u> ARC 4400B.....			8/3/05	197
	Child protective services, 175.21, 175.22, 175.25“1” to “8,” 175.25(1) to 175.25(8),				
	175.26(1), 175.26(1)“e,” 175.26(2), 175.27, 175.32, 175.43(4),				
	Notice ARC 4327B, also <u>Filed Emergency</u> ARC 4312B.....			7/6/05	56
	Report of dependent adult abuse evaluation, 176.6(5), 176.7, 176.15(1), 176.15(2), Filed ARC 4324B .....			7/6/05	62
	Access to dependent adult abuse information, 176.10(3)“d”(5), Notice ARC 4326B,				
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## HUMAN SERVICES DEPARTMENT[441]-continued

Reimbursement rates for rehabilitative treatment and supportive services, 185.112(1)“k,” 185.112(14)“c”(1) and (2), 185.112(14)“d,” <u>Notice ARC 4325B</u> , also <u>Filed Emergency ARC 4310B</u> .....	7/6/05	59
Subsidized adoptions—nonrecurring expenses, 201.2, 201.3(1)“c,” 201.6(1)“a”(7), <u>Filed Emergency After Notice ARC 4402B</u> .....	8/3/05	198

## 10:40 to 10:50 Break

<b>11:00 IOWA FINANCE AUTHORITY[265]</b>	Dennis Dietz	(242-4974)	
ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]“umbrella”			
State housing trust fund, 19.1, 19.2, <u>Notice ARC 4422B</u> .....	8/3/05	149	
Transitional housing revolving loan program, adopt ch 23, <u>Notice ARC 4405B</u> .....	8/3/05	150	
Home and community-based services rent subsidy program, adopt ch 24, <u>Notice ARC 4406B</u> .....	8/3/05	152	
<b>11:15 PUBLIC HEALTH DEPARTMENT[641]</b>	Barb Nervig	(281-4344)	
Center for congenital and inherited disorders, 4.3(2)“d,” 4.3(5), 4.3(6)“b,” 4.3(9)“b,” <u>Filed Emergency After Notice ARC 4382B</u> .....	8/3/05	199	
Immunizations, ch 7 title, 7.1, 7.2, 7.3(1), 7.4 to 7.8, 7.8(1), 7.8(2), 7.8(4), 7.9 to 7.11, 7.11(1), 7.11(4)“a”(4) and (5), 7.12, <u>Filed ARC 4394B</u> .....	8/3/05	212	
Lead hazard notification process, 69.10(1)“e” to “j,” 69.10(2), 69.10(3)“a” and “h,” 69.10(4)“a” to “k,” <u>Filed Emergency After Notice ARC 4381B</u> .....	8/3/05	200	
Women, infants and children (WIC) program, 73.5, 73.7(3)“a,” 73.8(3), 73.8(4), 73.8(4)“b”(6), 73.8(5)“c,” 73.13(1), 73.13(2), 73.19(1)“c” to “h,” 73.19(2), 73.19(2)“b” to “e,” “g” and “i” to “l,” <u>Filed ARC 4383B</u> .....	8/3/05	216	
Emergency medical services—certification; reference updated, 131.3(3)“b,” 132.2(4)“b,” <u>Filed Emergency After Notice ARC 4380B</u> .....	8/3/05	201	
<b>11:30 UTILITIES DIVISION[199]</b>	Sharon Mayer	(281-5256)	
COMMERCE DEPARTMENT[181]“umbrella”			
Certification of eligibility for wind energy and renewable energy tax credits, 15.18, <u>Notice ARC 4341B</u> , also <u>Filed Emergency ARC 4342B</u> .....	7/20/05	106	

## 11:45 to 1:00 Lunch

<b>1:00 CORRECTIONS DEPARTMENT[201]</b>	Michael Savala	(242-5715)	
Sex offender risk assessment, 38.2, 38.3, <u>Notice ARC 4404B</u> , also <u>Filed Emergency ARC 4403B</u> .....	8/3/05	169	
<b>1:15 PUBLIC SAFETY DEPARTMENT[661]</b>			
Iowa sex offender registry, 83.2(9) to 83.2(13), 83.3(2)“c,” 83.3(3), 83.3(6), 83.4(3)“b” and “c,” 83.4(5), 83.4(9), <u>Notice ARC 4357B</u> , also <u>Filed Emergency ARC 4358B</u> .....	7/20/05	103	
DNA database, adopt ch 156, <u>Notice ARC 4360B</u> , also <u>Filed Emergency ARC 4361B</u> .....	7/20/05	104	
<b>1:30 RACING AND GAMING COMMISSION[491]</b>	Karyl Jones	(281-3451)	
INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella”			
License revocation; audits; compliance with state fire and building codes; trifecta wagering, 1.2(2)“a,” 4.4(4), 5.2, 5.4(7), 5.4(18), 8.2(13)“g,” <u>Notice ARC 4391B</u> .....	8/3/05	156	
<b>1:45 DENTAL EXAMINERS BOARD[650]</b>	Jennifer Hart	(281-0997)	
PUBLIC HEALTH DEPARTMENT[641]“umbrella”			
Local anesthesia permit, 11.7(2) to 11.7(4), <u>Notice ARC 4364B</u> .....	7/20/05	90	
License renewal; fees, 13.1(3) to 13.1(9), 14.1, 15.1, 15.1(1) to 15.1(6), 15.1(9) to 15.1(11), 15.2, 15.4(1), 15.4(2), 15.5(3), 15.5(4), 25.2(1), 25.2(2), <u>Notice ARC 4362B</u> .....	7/20/05	90	
Dental assistants—education, examination, registration, 20.4(1)“a” to “d,” 20.6(1)“b”(3), 20.6(1)“c,” 20.6(2)“a”(2) and (5), 20.6(2)“b”(6), 20.9(1), 20.9(4), 20.9(6), 22.7(4), <u>Filed Emergency ARC 4363B</u> .....	7/20/05	99	
<b>2:00 ENVIRONMENTAL PROTECTION COMMISSION[567]</b>	Marla Gallardo	(281-8678)	
NATURAL RESOURCES DEPARTMENT[561]“umbrella”			
Confinement feeding operations; open feedlots, 65.1, 65.2(1), 65.2(2), 65.9(2), ch 65 div II, 65.100 to 65.112, ch 65 appendices A and E, <u>Notice ARC 3873B Terminated ARC 4354B</u> .....	7/20/05	92	
Financial responsibility for underground storage tanks, 136.1(2), 136.1(5), 136.6(3)“b” to “h,” 136.8(2), 136.18(1), 136.22, <u>Notice ARC 4353B</u> .....	7/20/05	92	

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<b>2:15</b>	<b>NATURAL RESOURCE COMMISSION[571]</b>	Marla Gallardo	(281-8678)		
	NATURAL RESOURCES DEPARTMENT[561]“umbrella”				
	No-wake zone on Cedar River in Chickasaw County, 40.45(2), 40.45(3), <u>Filed Emergency ARC 4340B</u> .....	7/6/05	60		
	Rental fee for cabins at Stone State Park, 61.4(1)“a,”				
	<u>Notice ARC 4348B</u> , also <u>Filed Emergency ARC 4349B</u> .....	7/20/05	100		
	Quota increase for antlerless-deer-only licenses for nonresidents, 94.6(1),				
	<u>Notice ARC 4350B</u> , also <u>Filed Emergency ARC 4351B</u> .....	7/20/05	101		
	Wild turkey spring hunting, ch 98, <u>Filed ARC 4352B</u> .....	7/20/05	110		
	Deer hunting by residents, 106.1, 106.2, 106.4(4) to 106.4(6), 106.5 to 106.8, 106.10(1),				
	106.12(6), 106.12(7), <u>Filed ARC 4339B</u> .....	7/6/05	64		
<b>2:50</b>	<b>PHARMACY EXAMINERS BOARD[657]</b>	Lloyd Jessen	(281-5944)		
	PUBLIC HEALTH DEPARTMENT[641]“umbrella”				
	Fees, 2.3(1), 2.6, 2.9(4), 2.11, 3.10(1), 3.10(2), 8.35(4), 10.3, 10.11(2)“b,” 10.11(3)“b,”				
	10.11(4), 12.7(2)“a,” 17.3(2), 17.3(4)“b,” <u>Filed Emergency After Notice ARC 4365B</u> .....	7/20/05	101		
	Electronic drug database program, adopt ch 13; 36.1(4)“ag” to “ak,” <u>Notice ARC 4307B</u> .....	7/6/05	21		
<b>Wednesday-August 10th</b>					
<b>9:00</b>	<b>EMPOWERMENT BOARD, IOWA[349]</b>	Shanell Wagler	1-4321		
	Special review requested by Rep. Frevert				
	School ready funds, House File 816 .....	special			
<b>9:15</b>	<b>ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]</b>	Melanie Johnson	(242-4862)		
	Organization, ch 1, <u>Notice ARC 4419B</u> , also <u>Filed Emergency ARC 4374B</u> .....	8/3/05	171		
	Grow Iowa values fund assistance, adopt ch 2,				
	<u>Notice ARC 4420B</u> , also <u>Filed Emergency ARC 4370B</u> .....	8/3/05	174		
	Iowa jobs training program; workforce training and economic development funds;				
	accelerated career education program, 7.1, 7.3, 7.4, 7.5(6), 7.9(4), 7.15(3), 7.28, 7.29, 9.2,				
	9.4, 9.5(5), 9.6, 9.7, 9.8(1), 9.9, 9.10, 20.2, 20.3(2), 20.4(1)“a,” 20.7, 20.19,				
	<u>Notice ARC 4421B</u> , also <u>Filed Emergency ARC 4368B</u> .....	8/3/05	177		
	Economic development region initiatives, adopt ch 31, <u>Notice ARC 4413B</u> .....	8/3/05	133		
	Tax credits for economic development region revolving loan fund,				
	adopt ch 32, <u>Notice ARC 4414B</u> .....	8/3/05	135		
	Endow Iowa grants program, 46.2, 46.3(1), 46.4, 46.6, <u>Notice ARC 4415B</u> .....	8/3/05	137		
	Endow Iowa tax credits, 47.2 to 47.5, <u>Notice ARC 4416B</u> .....	8/3/05	138		
	Community economic betterment program, 53.2, 53.3, 53.6(1)“e”(3), 53.11(1),				
	<u>Notice ARC 4417B</u> , also <u>Filed Emergency ARC 4371B</u> .....	8/3/05	181		
	New jobs and income program; new capital investment program; high quality job creation program,				
	58.16, 64.8, adopt ch 68, <u>Notice ARC 4409B</u> , also <u>Filed Emergency ARC 4372B</u> .....	8/3/05	182		
	Enterprise zones, 59.2, 59.3, 59.3(4)“a”(3), 59.3(4)“d” and “e,” 59.5(1), 59.5(3),				
	59.6(3)“a”(1) and (3), 59.6(3)“c”(1), (3) and (5), 59.6(3)“d” to “g,” 59.8(1)“d”(6), 59.8(2)“a,”				
	59.9, 59.13, 59.14(2), 59.14(4), 59.14(5), 59.14(7), <u>Notice ARC 4418B</u> .....	8/3/05	141		
	Loan and credit guarantee program, ch 69, <u>Notice ARC 4410B</u> , also <u>Filed Emergency ARC 4373B</u> .....	8/3/05	192		
	Program wage thresholds calculations, 168.201 to 168.203, <u>Notice ARC 4411B</u> ,				
	also <u>Filed Emergency ARC 4412B</u> .....	8/3/05	193		
<b>10:15 to 10:30 break</b>					
<b>10:30</b>	<b>INSPECTIONS AND APPEALS DEPARTMENT[481]</b>	David Werning	(281-7376)		
	Hospitals, 51.2(7), 51.18(3), 51.20(2)“j”(2), 51.20(2)“k,” 51.20(4)“a”(3), 51.53(1),				
	51.53(2), <u>Filed ARC 4385B</u> .....	8/3/05	203		
	Residential care facilities, 57.19(3)“l,” 57.21(4)“s,” 57.22, 57.24, 57.37(3), <u>Filed ARC 4384B</u> .....	8/3/05	203		
	Nursing facilities, 58.26(3)“c”(2), 58.27, 58.41(3), <u>Filed ARC 4386B</u> .....	8/3/05	204		
	Electrical and mechanical amusement devices, 104.1, 104.2, 104.6“4” to “11,” 105.1, 105.2,				
	105.3“3,” 105.5 to 105.7, 105.7“6,” “8,” “10” and “11,” 105.9, 105.10, <u>Filed ARC 4377B</u> .....	8/3/05	204		
<b>10:40</b>	<b>NURSING BOARD[655]</b>	Lorinda Inman	(281-4822)		
	PUBLIC HEALTH DEPARTMENT[641]“umbrella”				
	RN and LPN licensure, 3.1, 3.4(3)“a”(2), 3.4(3)“b”(1) to (8), 3.4(4)“a”(2)“2” to “9,”				
	3.4(4)“b”(1), (2) and (11), 3.4(6)“c,” 3.4(7), 3.5(2)“a”(2), 3.5(2)“b”(1) to (7),				
	3.5(3), 3.5(4), 3.7(5)“d”(1) and (3), 4.6(3)“f” and “g,” 4.11, <u>Filed ARC 4305B</u> .....	7/6/05	68		
	RN and LPN license renewal fee, 3.1, <u>Filed ARC 4304B</u> .....	7/6/05	68		

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<b>10:50</b>	<b>REVENUE DEPARTMENT[701]</b>	Dave Casey (281-6163)			
	Determination of value of railroad companies, 76.1(7), 76.1(10), 76.4(5), 76.4(6), 76.5, 76.7, 76.9(3), 76.9(4), <u>Filed ARC 4306B</u> .....	7/6/05	74		
	Individual income tax, corporate income tax—reporting, tax credits, deductions, 40.1, 40.62, 40.66, 41.3(1)“c,” 41.3(2)“a,” 41.5(2), 41.5(7), 41.5(9), 41.5(11), 42.2(11)“b,” 52.7(3)“c,” 52.7(5)“c,” 53.18, 59.19, <u>Notice ARC 4408B</u> .....	8/3/05	158		
	Soy-based cutting tool oil tax credit, 42.21, 52.24, <u>Notice ARC 4407B</u> .....	8/3/05	161		
<b>11:15</b>	<b>REGENTS BOARD[681]</b>	Susan Anderson 1-6422			
	Sanctions for parking violations, 4.30(5), 4.31(2), <u>Filed ARC 4284B</u> .....	7/6/05	74		
	Uniform rules of personal conduct; hearing examiners appointed by university presidents, 9.1 to 9.3, <u>Filed ARC 4345B</u> .....	7/20/05	111		
<b>11:45</b>	<b>AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]</b>	Ronald R. Rowland (281-8619)			
	Women, infants, and children/farmers' market and senior farmers' market nutrition programs, ch 50, <u>Notice ARC 4286B</u> , also <u>Filed Emergency ARC 4285B</u> .....	7/6/05	28		
<b>12:15</b>	<b>COMMITTEE BUSINESS</b>	September meeting-Approval of minutes-miscellaneous			
	<b>No representative requested to appear</b>				
<b>XX:00</b>	<b>ARCHITECTURAL EXAMINING BOARD[193B]</b>				
	Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]“umbrella”				
	Registration, 2.1, 2.5 to 2.9, <u>Notice ARC 4390B</u> .....	8/3/05	128		
	Time period for completion of architect registration examination, 2.3(3), <u>Notice ARC 4282B</u> .....	7/6/05	13		
<b>XX:00</b>	<b>CULTURAL AFFAIRS DEPARTMENT[221]</b>				
	Cultural and entertainment districts, 9.2, 9.7(1), <u>Notice ARC 4392B</u> .....	8/3/05	130		
<b>XX:00</b>	<b>EDUCATIONAL EXAMINERS BOARD[282]</b>				
	EDUCATION DEPARTMENT[281]“umbrella”				
	Family and consumer sciences endorsement, 14.141(10), <u>Filed ARC 4355B</u> .....	7/20/05	109		
	Special education endorsements, 15.2(1) to 15.2(5), 15.2(8) to 15.2(10), <u>Filed ARC 4359B</u> .....	7/20/05	109		
	Renewal of initial license, 17.8(1), <u>Filed ARC 4356B</u> .....	7/20/05	109		
<b>XX:00</b>	<b>LANDSCAPE ARCHITECTURAL EXAMINING BOARD[193D]</b>				
	Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]“umbrella”				
	Licensing; continuing education, 2.8, 3.3, <u>Notice ARC 4389B</u> .....	8/3/05	155		
<b>XX:00</b>	<b>MEDICAL EXAMINERS BOARD[653]</b>				
	PUBLIC HEALTH DEPARTMENT[641]“umbrella”				
	Physician licensure—fees, 8.4(1)“a,” “c,” “f” and “g,” 8.4(3)“a,” 9.5(1)“a,” 9.11(3)“a,” 9.13(1)“a,” 9.13(2)“b,” 10.4(3)“a”(1), <u>Notice ARC 4309B</u> .....	7/6/05	20		
	License procedures, 9.1, 9.2(2)“d” to “f,” 9.5(2)“g” to “p,” 9.11(3)“a,” 9.11(6), 9.12(1)“c,” 9.13(2)“a”(5) and (7), 9.15, 10.3(1)“b,” 10.3(2)“d,” 10.3(3)“b”(7) and (9), 10.4(3)“b”(5), (6) and (8), 10.4(4)“c” to “h,” 10.5(1)“d”(5) and (7), 10.5(2)“d”(5) and (7), <u>Filed ARC 4308B</u> .....	7/6/05	63		
<b>XX:00</b>	<b>PROFESSIONAL LICENSURE DIVISION[645]</b>				
	PUBLIC HEALTH DEPARTMENT[641]“umbrella”				
	Behavioral science examiners, 31.1, 31.8“6,” 31.10(1), 31.10(3), 31.10(5), 31.10(7), 31.10(8), 31.11, 31.12, 31.15 to 31.17, 32.1, 32.2(3), 32.2(4), 32.3, 32.3(1), 32.3(1)“c,” 32.3(1)“e”(2) and (3), 32.3(2)“a” and “b,” 32.3(3), 32.4 to 32.11, 34.1(4) to 34.1(6), <u>Filed ARC 4302B</u> .....	7/6/05	69		
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